



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

November 30, 2016

System No. 5010039

Mr. Patrick Garvey, District Engineer
Western Hills Water District/Diablo Grande Water System
9501 Morton Davis Drive
Patterson, CA 95363

TRANSMITTAL OF CITATION NO. 01-10-16C-018

The Western Hills Water District/Diablo Grande Water System (hereinafter "Diablo Grande") (No. 5010039) failed to collect the required number of reduced Lead and Copper Tap Samples, between June 1, 2016 and September 30, 2016, as specified in Title 22, Section 64675(b)(2), of the California Code of Regulations. The State Water Resources Control Board, Division of Drinking Water has issued Citation No. 01-10-16C-018, in response to this violation. The Citation is being transmitted to Diablo Grande under cover of this letter.

Please respond to the Directives of this Citation by the deadlines established with each item. If you have any questions regarding this Citation, please contact Brian Kidwell by email at Brian.Kidwell@waterboards.ca.gov or by phone at (209) 948-3963.

Sincerely,

Bhupinder S. Sahota, P.E.
District Engineer, Stockton District
NORTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Attachments:

Citation No. 01-10-16C-018

Certified Mail No. 7004 2890 0002 0057 9751

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FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

31 E. Channel Street, Room 270, Stockton, CA 95202 | www.waterboards.ca.gov

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Western Hills Water District/Diablo Grande Water System
9501 Morton Davis Drive
Patterson, CA 95363

Attn: Patrick Garvey, District Engineer
Western Hills Water District/Diablo Grande Water System

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTION 64675(b)(2)
FAILURE TO COLLECT REQUIRED NUMBER OF REDUCED LEAD AND COPPER
TAP SAMPLES BETWEEN JUNE 1, 2016 AND SEPTEMBER 30, 2016
WATER SYSTEM NO. 5010039
CITATION NO. 01-10-16C-018
Issued on November 30, 2016**

The State Water Resources Control Board (hereinafter "Water Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues this Citation (hereinafter "Citation") pursuant to Section 116650 of the California Health and Safety Code (hereinafter "CHSC") to Western Hills Water District/Diablo Grande Water System

1 (hereinafter, "Diablo Grande") for violation of California Code of Regulations (CCR),
2 Title 22, Section 64675(b)(2).

3
4 **APPLICABLE AUTHORITIES**

5 **Section 116650 of California Health and Safety Code provides:**

6
7 (a) If the Division determines that a public water system is in violation of this chapter
8 or any regulation, permit, standard, citation, or order issued or adopted thereunder,
9 the Division may issue a citation to the public water system. The citation shall be
10 served upon the public water system personally or by certified mail. Service shall be
11 deemed effective as of the date of personal service or the date of receipt of the
12 certified mail. If a person to whom a citation is directed refuses to accept delivery of
13 the certified mail, the date of service shall be deemed to be the date of mailing.

14
15 (b) Each citation shall be in writing and shall describe the nature of the violation or
16 violations, including a reference to the statutory provision, standard, order, citation,
17 permit, or regulation alleged to have been violated.

18
19 (c) A citation may specify a date for elimination or correction of the condition
20 constituting the violation.

21
22 (d) A citation may include the assessment of a penalty as specified in subdivision (e).

23
24 (e) The Division may assess a penalty in an amount not to exceed one thousand
25 dollars (\$1,000) per day for each day that a violation occurred, and for each day that a
26 violation continues to occur. A separate penalty may be assessed for each violation.



1 California Code of Regulations, Title 22, Section 64675(b)(2) provides, in
2 relevant part:

3
4 (b) During each period, each system conducting reduced tap sampling shall collect at
5 least one sample from the number of sites based on the number of people served
6 specified in table 64675-A under Reduced Tap Sampling, as follows:

7 (2) The samples shall be collected during the months of June, July, August, or
8 September.

9
10 **STATEMENT OF FACTS**

11 The Diablo Grande water system is operated under Water Supply Permit No. 03-10-
12 11P-001, which was issued on October 11, 2011.

13
14 The Diablo Grande water system is located in Stanislaus County, approximately 10
15 miles to the southwest of the City of Patterson in the master planned community of
16 Diablo Grande. The community is situated in the previously undeveloped rolling
17 foothills west of Interstate Highway 5. The water system is classified as a community
18 water system that serves primarily residential customers living within Diablo Grande's
19 service area. The water system serves approximately 1,123 people through 420
20 service connections.

21
22 Diablo Grande's raw water supply is obtained from the Delta of the San Joaquin and
23 Sacramento Rivers. The State Water Project diverts water from Old River in the Delta
24 to the Clifton Court Forebay. From the Clifton Court Forebay, water flows through a
25 three mile intake channel to the Harvey Banks pumping plant. The pumping plant is
26 the head works of the California Aqueduct, which conveys water into Bethany
27 Reservoir. From Bethany Reservoir, the source water flows 35 miles through the

1 California Aqueduct to the turnout that serves the Diablo Grande raw water pumping
2 plant. The intake to the surface water treatment plant (hereinafter "SWTP") is located
3 in the California Aqueduct, at a point west of the City of Patterson. There are four
4 pumping stations to lift the water from the turnout at the California Aqueduct to the
5 SWTP. These four pumping stations move the water a horizontal distance of
6 approximately 43,800 feet, and lift the water a vertical distance of 960 feet to the
7 Diablo Grande SWTP. The installed treatment equipment includes two parallel
8 ACTIFLO water clarification and filtration systems with rated capacities of 1.0 MGD
9 per system; however, one system provides required redundant treatment capacity.
10 Aluminum sulfate 48%, or an alternate coagulant combination, is added to the water
11 as it enters the coagulation stage of the ACTIFLO water treatment plants. After
12 clarification and filtration of the water, it is chlorinated as it flows into the clearwell at
13 the treatment plant. From the clearwell, the water is pumped to a 1.0 MG treated
14 water storage tank on a hill at an elevation of 1,484 feet. Ammonia is added as the
15 water flows out of the clearwell to chloramine the water. From the 1.0 MG tank,
16 water flows to the distribution system by gravity.

17
18 Based on population, Title 22, Table 64675-A of the California Code of Regulations,
19 which is shown below, requires Diablo Grande to collect 20 lead and copper samples
20 under standard tap sampling, and 10 samples under reduced tap monitoring. In 2016
21 the Diablo Grande water system was required to conduct reduced tap monitoring.

Table 64675-A
Lead and Copper Tap Sampling Sites

System Size	Standard Tap Sampling	Reduced Tap Sampling
>100,000	100	50
10,001 to 100,000	60	30
3,301 to 10,000	40	20
501 to 3,300	20	10
101 to 500	10	5
<101	5	5

Title 22, Section 64675(b)(2) of the California Code of Regulations states:

(b) During each period, each system conducting reduced tap sampling shall collect at least one sample from the number of sites based on the number of people served specified in table 64675-A under Reduced Tap Sampling, as follows:

(2) The samples shall be collected during the months of June, July, August, or September.

Therefore, when Diablo Grande is required to conduct lead and copper monitoring, the lead and copper tap samples, 10, must be collected during the months of June, July, August, or September.

In a meeting with Diablo Grande, on September 29, 2016, the Division was notified, that all 10 required lead and copper samples for the year 2016 monitoring period were not collected during the months of June, July, August, or September. Diablo Grande determined that only 8 valid samples were collected during the months of June, July, August, or September.



1 It should be noted that Diablo Grande received Citation No. 01-10-16C-001 for failing
2 to collect the required number of 2015 lead and copper tap samples during the
3 months of June, July, August, or September.

4 5 **DETERMINATION**

6 The Division has determined that Diablo Grande failed to comply with Section
7 64675(b)(2) of the California Code of Regulations due to the fact that Diablo Grande
8 failed to collect all 10 lead and copper tap samples for the year 2016 monitoring
9 period during the months of June, July, August, or September. Specifically, Diablo
10 Grande only collected 8 lead and copper tap samples during the required timeframe.
11 Therefore Diablo Grande is in violation of Section 64675(b)(2) of the California Code
12 of Regulations for the year 2015.

13 14 **DIRECTIVES**

15 Diablo Grande is hereby directed to take the following actions:

- 16
- 17 1. Diablo Grande shall return to Standard Tap Sampling and collect 20 lead and
18 copper samples for 2017. These 20 samples must be collected during June,
19 July, August, or September. Diablo Grande shall submit the results to the
20 Division no later than October 10, 2017

21

22 Please note that 10 of the 20 required lead and copper distribution monitoring
23 shall be conducted using the same sites that were used during the 2016
24 monitoring. If it is necessary to change a site or sites, the new site(s) address
25 and tier ranking shall be attached to that round's results along with the reason
26 for the change of the sample site(s).



1 2. The results of the monitoring shall be submitted to the Division's Stockton
2 District office on the Form 141-AR, along with copies of the laboratory results
3 for each site.

4
5 3. Failure to conduct lead and copper tap monitoring is considered a monitoring
6 and reporting violation. As a result, Diablo Grande is required to notify the
7 consumers of this violation in the 2016 Consumer Confidence Report, which is
8 required to be distributed to all customers by July 1, 2017. Diablo Grande must
9 also complete the attached Proof of Notification form and submit it to the
10 Division, with a copy of the 2016 Consumer Confidence Report, by October 1,
11 2016.

12
13 The Division reserves the right to make such modifications to this Citation as it may
14 deem necessary to protect public health and safety. Such modifications may be
15 issued as amendments to this Citation, and shall be deemed effective upon issuance.

16
17 Nothing in this Citation relieves Diablo Grande of its obligation to meet the
18 requirements of the California Safe Drinking Water Act, or of any regulation, permit,
19 standard, or order issued or adopted thereunder.

20
21 All submittals required by this Citation shall be submitted to the Division at the
22 following address:

23
24 Brian Kidwell, P.E.
25 Water Resource Control Engineer
26 State Water Resources Control Board, Division of Drinking Water
27 31 E. Channel Street, Room 270
28 Stockton, CA 9202

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PARTIES BOUND

This Citation shall apply to and be binding upon Diablo Grande, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Citation are severable, and Diablo Grande shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

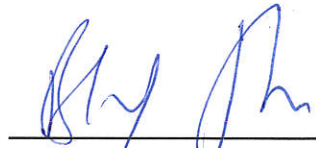
FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with violates an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

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11-30-2016

Date



Bhupinder S. Sahota, P.E.
District Engineer, Stockton District
Division of Drinking Water
State Water Resources Control Board

Certified Mail No. 7004 2890 0002 0057 9850

Attachment: Proof of Notification



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Drinking Water Notification to Consumers

PROOF OF NOTIFICATION

Name of Water System: _____

Please explain what caused the problem if you have determined what it was and what steps you have taken to correct it. _____

Consumers Notified _____ Yes _____ No

If not, Explain: _____

Date of Notification: _____

On the date of notification set forth above, I served the above referenced document(s) on the consumers by:

_____ Sending a copy through the U.S. Mail, first class, postage prepaid, addressed to each of the resident(s) at the place where the property is situated, pursuant to the California Civil Code. Attach copy of Notice.

_____ Newspaper (if the problem has been corrected). Attach a copy of Notice.

_____ Personally hand-delivering a copy to each of the consumers. Attach a copy of Notice.

_____ Posted on a public bulletin board, that will be seen by each of the consumers (for small, non-community water systems with prior Division approval). Attach copy of Notice.

I hereby declare the forgoing to be true and correct under penalty of perjury.

Dated: _____

Signature of Person Serving Notice

****Notice:** Complete this Proof of Notification and return it along with a copy of the notification to the Division within 10 days of giving public notice.

Disclosure: Be advised that the California Health and Safety Code states that any person who knowingly makes a false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by fine of not more than twenty-five thousand dollars (\$25,000) for each day of violation, or be imprisoned in county jail not to exceed one year or by both the fine and imprisonment.